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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 3:12-CR-106-HDM-(VPC)
11 JOHN TILDEN BIALE, JR.,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on January 31, 2013, defendant JOHN TILDEN BIALE, JR., pled guilty
15 to Count One of a One-Count Criminal Indictment charging him with Receipt of Child
16 Pornography, in violation of Title 18, United States Code, Section 2252A(a)(2) and (b).
17 Indictment, ECF No. 1; Plea Agreement, ECF No. 18; Change of Plea, ECF No. 20.

18 This Court finds defendant JOHN TILDEN BIALE, JR., agreed to the forfeiture of the
19 property set forth in Forfeiture Allegations of the Criminal Indictment. Indictment, ECF No. 1;
20 Plea Agreement, ECF No. 18; Change of Plea, ECF No. 20.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
22 has shown the requisite nexus between property set forth in the Forfeiture Allegation of the
23 Criminal Indictment and the offense to which defendant JOHN TILDEN BIALE, JR., pled guilty.

24 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
25 2253:

- 26 1. One Virgin Atlantic Cellular Phone;

2. One Compaq Presario Central Processing Unit or "CPU" (Serial No. 4CE1107D4);
3. Misc. VHS Tapes;
4. Misc. CDs;
5. Misc. Floppy Disks; and
6. Any visual depiction or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 2252A ("property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of JOHN TILDEN BIALE, JR., in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

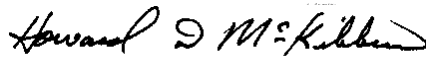
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South Virginia Street, 3rd Floor, Reno, NV 89501.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
3 following address at the time of filing:

4 Greg Addington
5 Assistant United States Attorney
6 100 West Liberty Street, Suite 600
7 Reno, NV 89501

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 DATED this 9th day of February, 2013.

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15 UNITED STATES DISTRICT JUDGE
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